Attorney's Docket No.: 13218-002001 / 11880-003001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Alvarez Cohen et al.

Art Unit

: 3764

Examiner: Glenn E. Richman

Serial No.: 09/866,154

: May 24, 2001

Filed Title

: INTERFACE FOR CONTROLLING AND ACCESSING INFORMATION ON

AN EXERCISE DEVICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Copies of the references listed on the attached form PTO-1449 are enclosed.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. 'A check including the amount for \$180 in payment of the late submission fee of §1.17(p) is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

10/15/03

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Sheet <u>1</u> of <u>3</u>

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13218-002001	Application No. 09/866,154	
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Michael Alvarez Cohen et al.		
		Filing Date May 24, 2001	Group Art Unit 3764	

			U.S. Patent	Documents			
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA		<u> </u>				
	AB						
	AC						
	AD						
	AE	·	·				

	Foreig	n Patent Doc	uments or P	ublished Foreign F	Patent A	Application	ns	
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Trans Yes	lation No
	AF							

(	Other D	ocuments (include Author, Title, Date, and Place of Publication)
Examiner	Desig.	
Initial	ID	Document
	AG	Stevens, "For Netpulse, Its No Pain, No Gain," 3 pages, February 2, 2000, downloaded from
	7.0	http://www.turboads.com/broadband/2000news/bn20000202.shtml
	AH	Gaffney, "Featuring Tom Proulx, CEO Netpulse," 3 pages, November 12, 1999, downloaded from
		http://www.channelseven.com/newsbeat/99features/seven19991112.shtml.
	Al	Manning, "Net gear for health clubs let you surf while you sweat," The Courier Journal, 2 pages,
	AI	April 15, 2000, downloaded from http://www.courier-journal.com/gizweb/cols/00/0004c.htm.
	i	Papamichael, "Turn Exercise into Entertainment," MBS Gazette Newsletter, 4 pages, March/April
	ΑĴ	2000., downloaded from
		http://www.bodyscenes.com/newsletter_files/mar_apr_2000/nwsltr34001.htm.
	AK	Knefel, "Working out with the Web," CNN.com, May 15, 1998, downloaded from
	A.K.	http://web.archive.org/web/20010210193946/www.netpulse.net/press/articles19980515.html
	A 1	"Surf the Net While You Sweat," MSNBC, 3 pages, September 28, 1999, downloaded from
	AL	http://zdnet.com.com/2100-11_2-515822.html.
		King, "Health Club Marketing: They Lose, You Win," NewsBeat Channel Seven, 3 pages,
	AM	September 13, 2000, downloaded from
		http://www.channelseven.com/newsbeat/2000features/news20000913.shtml.
		RHC Media, Inc., "Down on Devices," December 1998, downloaded from
•	AN	http://216.239.57.104/search?q=cache:tKkX SliLawJ;www.redherring.com/mag.
	T	Seglin, "Diss Connection," Inc. Magazine, 3 pages, March 1999, downloaded from
	AO	http://www.jnc.com/magazine/19990301/4557.html.
		McCafferty, "An exercise in utility," USA Weekend Magazine, 4 pages, May 7, 2000, downloaded
1	AP	from http://www.usaweekend.com/00_issues/000507/000507tech.html.
	<del> </del>	Hudgens "In Motion, Logging On to Work Out,", Kiosks.Org Association, , 4 pages, November 12
	AQ	1999, downloaded from http://216.239,57.104/search?q=cache:b-
	1 "	Oz0ez9zjQJ:www.kiosks.org/newsbit.

Examiner Signature	Date Considered
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Sheet <u>2</u> of <u>3</u>

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		Filing Date May 24, 2001	Group Art Unit 3764

	Other D	ocuments (include Author, Title, Date, and Place of Publication)
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	AR	Horowitz, "New Tipsy Tests for Suspected Drunks," Newsmax, 3 pages, May 24, 1999, downloaded from http://www.newsmax.com/commentarchive.shtml?a=1999/5/23/225736.
	AS	"Work the Web," Ibiz Magazine, 4 pages, September 1998, downloaded from <a href="http://www.ibiz.net/sep98/workx.htm">http://www.ibiz.net/sep98/workx.htm</a> .
	АТ	Tucker, MyWellness Solutions, "Interactive Profits," Fitness Management Magazine, Vol. 13, p. 38, May 1997, downloaded from http://216.239.57.104/search?q=cache:6WvXqc4f1ZgJ:www.mywellness.com/def.
	AU	Hemmila, "An irresistable pitch," San Francisco Business Times, , 3 pages, April 20, 1998, downloaded from http://sanfrancisco.bizjournals.com/sanfrancisco/stories/1998/04/20/newscolumn4.html.
	AV	Kelley, "Patient, Heal Thyself," Context Magazine, 6 pages, Fall, 1998, downloaded from http://www.contextmag.com/setFrameRedirect.asp?src=/archives/199809/virtualHorizons_asp.
	AW	Tucker, Fitness World, "VIRTUAL Support," Fitness Management Magazine, Vol. 14, pp. 40-41, 3 pages, July 1998, downloaded from http://www.fitnessworld.com/info/info pages/library/service/service0798.html.
:	ΑX	Burres, "The Fitness Center of the Future," 5 pages, February 1995, downloaded from http://www.drkenburres.com/drkenburres.doc.
	AY	Furchgott, Business Week, "The Best Products of 1999," 11 pages, December 20, 1999.
<del></del>	AZ	Netpulse-Club Members & Exercisers, "Surf the web while you workout," 2 pages, 1998, downloaded from http://web.archive.org/web/19990221052049/www.netpulse.com/MembersQ.html.
	AAA <sup>,</sup>	Netpulse-Advertisers, "Reach captive exercisers at the point of sweat," 1 page, 1998, downloaded from http://web.archive.org/web/19990220134130/www.netpulse.com/Advertisers0.html.
	ABB	"Netpulse Delivers Captive, Upscale Audience For Online, Rich-Media Advertising," Netpulse press release, March 1, 1999, downloaded from <a href="http://wcb.archive.org/web/20010119103700/www.netpulse.net/press/releases19990301.html">http://wcb.archive.org/web/20010119103700/www.netpulse.net/press/releases19990301.html</a> .
	AÇC	Donnelly, "Networkingout Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once," The San Jose Mercury News, Silicon Valley Life, Page 1E, April 1, 1998, downloaded from http://web.archive.org/web/20010111131100/www.netpulse.net/press/articles19980401.html
	ADD	Chen, "Web-connected exercise machines elt club patrons surf while stair-stepping," The New York Times, CCT, Section: E, Page: 1, June 30, 1998, downloaded from http://web.archive.org/web/20010210195023/www.netpulse.net/press/articles19980630.html.
	AEE	Martin, "Ultrawired," Fortune Magazine, August, 1998, downloaded from <a href="http://web.archive.org/web/20010111134700/www.netpulse.net/press/articles19980800.html">http://web.archive.org/web/20010111134700/www.netpulse.net/press/articles19980800.html</a> .
	AFF	Onion, "High-Tech Health Clubs Make Members Work Hard for Their Daily Media Fix," Fox News, November 13, 1998, downloaded from http://web.archive.org/web/20010111143600/www.netpulse.net/press/articles19981113.html.
	AGG	Fauber, "New Fitness Equipment Combines Internet, Sweat," Milwaukee Journal Sentinel, January 3, 1999, downloaded from http://web.archivc.org/web/20010210193809/www.netpulse.net/press/articles19990103.html.
	АНН	Creager, "Bikes let you surf Web, pedal towards perks," Detroit Free Press, April 23, 1999, downloaded from <a href="http://web.archive.org/web/20001110135700/www.netpulse.net/press/articles19990423.html">http://web.archive.org/web/20001110135700/www.netpulse.net/press/articles19990423.html</a> .

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(	Other D	ocuments (include Author, Title, Date, and Place of Publication)
Examiner	Desig.	
Initial	ID_	Document
	All	McCombs, "Web-Surfing Workouts: A New Way to Do It All at Once," Washington Post, Page Co1, July 9, 1999, downloaded from
		http://web.archive.org/web/20010210212445/www.netpulse.net/press/articles 19990709.html
	AJJ ,	Stein, "Surfing the Net while you sweat," USA Today, September 28, 1999, downloaded from http://web.archive.org/web/20010110122400/www.netpulse.net/press/articles19990928b.html.
1.	AKK	Blake, "Working Out On The Web," The Atlanta Journal-Constitution, December 2, 1999, downloaded from http://web.archive.org/web/20010110130600/www.netpulse.net/press/articles19991202.html.
	ALL	"CRUNCH Logs On with Netpulse," Netpulse Press Release, September 1, 1998, downloaded from http://web.archive.org/web/20010119104300/www.netpulse.net/press/releases19980901.html.
	AMM	"Netpulse Helps California Campaigns Target Health Club Voters "While They Sweat"," Netpulse Press Release, October 7, 1998, downloaded from <a href="http://web.archive.org/web/20010119102900/www.netpulse.net/press/releases19981007.html">http://web.archive.org/web/20010119102900/www.netpulse.net/press/releases19981007.html</a> .

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